

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

NORMA HOUSTON  
*ex rel.* LOIS FARMER,

Plaintiff,

v.

No. 1:10-cv-01173-JDB-egb

BANKERS LIFE AND CASUALTY  
COMPANY,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION

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Before the Court is the report and recommendation of the magistrate judge on two motions of the Plaintiff, Norma Houston, for orders modifying the preliminary injunction against the Defendant, Bankers Life and Casualty Company. (Docket Entry (“D.E.”) No. 168.) In her first motion, the Plaintiff sought an order modifying the preliminary injunction to reflect that Defendant pay monthly long-term care expenses directly to Lois Farmer’s nursing home. (D.E. No. 88.) The magistrate judge found that Defendant was already doing so and therefore recommended that the Plaintiff’s motion be found moot. The Plaintiff’s second motion sought to amend the preliminary injunction to resolve a dispute between the parties as to the maximum benefits payable under Farmer’s insurance policy and when benefit payments would expire. (D.E. No. 105.) Judge Bryant found that motion to be premature and recommended that it be denied. According to the Court’s docket, no objections to the magistrate judge’s report and recommendation have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

The Court has reviewed the magistrate judge’s report and recommendation. No objections

having been filed, the Court ADOPTS the magistrate judge's report and recommendation. It is therefore ORDERED that the magistrate judge's report and recommendation of December 3, 2010, (D.E. No. 168) be hereby ADOPTED. Plaintiff's Motion to Modify Agreed Preliminary Injunction (D.E. No. 88) is DENIED as moot. Her Second Motion to Amend/Correct/Modify/Revise Agreed Preliminary Injunction (D.E. No. 105) is DENIED.

IT IS SO ORDERED this 8th day of February, 2011.

s/ J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE